

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Promote Policy  
and Program Coordination and Integration in  
Electric Utility Resource Planning.

Rulemaking 04-04-003  
(Filed April 1, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ADOPTING PROTECTIVE ORDER TO FACILITATE  
DELIVERABILITY BASELINE ANALYSIS**

**Summary**

The California Independent System Operator Corporation (CAISO) has moved for adoption of a “deliverability” protective order and nondisclosure certificate to facilitate the timely completion of the baseline analysis needed to develop the deliverability requirement of the Commission’s resource adequacy program. CAISO states that the proposed protective order is also intended to encompass confidential data that may be needed and subsequently obtained by the CAISO to further advance the deliverability requirement during the Phase 2 resource adequacy workshop process. This ruling adopts the proposed protective order with certain modifications discussed below.

**Background**

Decision (D.) 04-10-035 approved CAISO’s proposal to develop the baseline analysis necessary to perform two proposed deliverability screens – aggregate to load and import - that will be used to implement the Commission’s resource adequacy program. In connection with this analysis, CAISO has identified a need for unit specific net dependable and qualified capacity data, as

defined in D.04-10-035, for all generating resources within the CAISO Control Area and information pertaining to transmission remedial action schemes and special protection schemes.

At the first Phase 2 workshop held on November 16, 2004, a conference call was scheduled to discuss CAISO's data requirements for the baseline analysis. During that call, which was held on November 22, 2004, participants stated that they considered some or all of the data requested by the CAISO to be confidential and/or commercially sensitive. Based on these representations, the CAISO agreed to apply the confidentiality provisions of CAISO Tariff § 20.3, *et seq.*, to protect data identified by parties as confidential and provided to CAISO for purposes of developing the baseline analysis. CAISO also agreed to formally seek the generation related data through publication of a CAISO "market notice," which notice was served on November 29, 2004. CAISO stated that due to the aggressive schedule for the baseline deliverability analysis, it must proceed in a manner similar to that utilized in its Annual Grid Planning Study process, which relies heavily on the substantial resources of participating transmission owners (PTOs) to construct base cases and perform power flow studies.

CAISO believes that if the PTOs are to participate, the use and distribution of the confidential data must be appropriately limited by a protective order adopted in this proceeding. CAISO filed its motion for a "deliverability" protective order on December 2, 2004. The proposed protective order permits the PTOs to receive the information as Market Participating Parties (MPPs) and other groups as Non-Market Participating Parties (NMPPS). CAISO believes that allowing the limited disclosure permitted by the proposed protective order will facilitate validation of the results of the analysis and prevent potential disputes

regarding the effect the deliverability requirement may have on market participants.

On December 9, 2004, the Law and Motion Judge issued a ruling granting CAISO's request to shorten time for responses to the motion and replies.<sup>1</sup> The Cogeneration Association of California (CAC) and Southern California Edison Company (SCE) filed timely responses on December 10, 2004. CAISO and Pacific Gas and Electric Company (PG&E) filed timely replies to the responses on December 14, 2004.

CAC opposes the proposed protective order on the grounds that it would unreasonably and unnecessarily limit participation by both MPPs and NMPPs. CAC proposes instead adoption of a model protective order adopted by the Federal Energy Regulatory Commission (FERC). SCE proposes amendments to Paragraph 12 of CAISO's proposed protective order that would enable its own power procurement personnel and those of other investor-owned utilities access to studies that incorporate their own information. PG&E supports the clarification sought by SCE, and opposes adoption of the model FERC protective order proposed by CAC.

In its reply, CAISO agreed with both CAC and SCE that increased transparency of the deliverability analysis and dissemination of the methodologies, studies, and results relating to that analysis is appropriate.

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<sup>1</sup> The Law and Motion Judge provided notice of the ruling by e-mail message dated November 7, 2004.

CAISO proposes that its original proposal be amended by adopting a variant of SCE's proposed amendments to Paragraph 12.<sup>2</sup>

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<sup>2</sup> Where SCE would limit the expanded availability to employees of Respondent investor-owned utilities, CAISO would extend the availability to employees of any Respondent.

## **Discussion**

I will adopt the protective order proposed by CAISO in furtherance of developing in Phase 2 any aspect of the deliverability requirement for resource adequacy described in D.04-10-035.<sup>3</sup> This protective order does not supersede existing protective orders. With the amendments to Paragraph 12 proposed by CAISO in its reply, the protective order reasonably accommodates the concerns raised by CAC, SCE, and PG&E.

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<sup>3</sup> Attached to CAISO's December 14 reply is a proposed version of the protective order that incorporates its proposed amendments to Paragraph 12. This version appears to be slightly different from the version attached to its December 2 motion in at least one respect. Paragraph 7 of the version attached to the reply includes a reference to SDG&E, while the corresponding language in the version attached to the motion refers to CAISO. Since the version attached to the motion appears to more accurately reflect CAISO's intended language, I have relied upon that version in preparing the attachment to this ruling.

Paragraph 10 of the proposed protective order addresses Public Records Act (PRA) requests regarding Deliverability Protected Materials. The proposed language may have the effect of binding the Commission to a position it is unwilling to take. Paragraph 10 will be revised to remove such requirements while retaining the notice provisions.

**IT IS RULED** that the Protective Order attached hereto is adopted.

Dated December 20, 2004, at San Francisco, California.

/s/ MARK S. WETZELL

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Mark S. Wetzell  
Administrative Law Judge

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**PROTECTIVE ORDER GOVERNING DATA PRODUCED IN DEVELOPMENT  
OF RESOURCE ADEQUACY'S DELIVERABILITY REQUIREMENT**

1. This Protective Order shall govern the use of all "Deliverability Protected Materials" produced by any respondent ("Respondent") to a request for data issued by the California Independent System Operator ("CAISO") through discovery in this proceeding and/or an CAISO "market notice" the purpose of which is to develop, advance or implement any aspect of the "deliverability" requirements described in Sections 3.6-3.6.2 of the California Public Utilities Commission's ["CPUC"] *Interim Opinion Regarding Resource Adequacy*, D.04-10-035 (Oct. 28, 2004) ["D.04-10-035"]. Notwithstanding any order terminating this proceeding, this Protective Order shall remain in effect until, after notice and an opportunity to be heard, it is specifically modified or terminated by the Assigned Commissioner, Assigned Administrative Law Judge ("Assigned ALJ"), the Law and Motion Administrative Law Judge, ("Law & Motion ALJ") or the full CPUC. This Protective Order does not address the right of employees of the CPUC acting in their official capacities to view Deliverability Protected Materials, because Commission employees are entitled to view such Deliverability Protected Materials in accordance with the requirements of Section 583 of the Public Utilities Code and the Commission's General Order 66-C.

2. In order to identify materials that may be subject to this Protective Order, the CAISO shall label any discover in this proceeding or market notice soliciting data or other information for the purpose of developing, advancing or implementing any aspect of the deliverability requirements described in Sections 3.6-3.6.2 of D.04-10-035 as “For CPUC Deliverability Analysis Purposes.”

3. A Respondent or its authorized representative may designate as protected those materials which customarily are treated by that Respondent as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that Respondent, its affiliates, its customers or its investors to risk of competitive disadvantage or other business injury.

4. The CAISO consents, based on representations from market participants, to treat all Deliverability Protected Materials as confidential or commercially sensitive information pursuant to Section 20.3. et seq. of the CAISO’s Federal Energy Regulatory Commission (“FERC”) Electric Tariff. Accordingly, notwithstanding the provisions of this Protective Order, the CAISO will comply with the provisions of Section 20.3.4(b) of the CAISO FERC Electric Tariff following a request for production of Delivery Protected Materials in this proceeding by notifying affected Respondents or market participants prior to disclosure.

5. Definitions – For purposes of this Order:

(a) The term “Respondent” shall mean an entity or person or authorized representative responding to a request for materials, data or other information issued by the California Independent System Operator (“CAISO”) through discovery in this proceeding and/or through an CAISO “market notice” for the



specific purpose of developing, advancing or implementing any aspect of the “deliverability” requirements described in Sections 3.6-3.6.2 of D.04-10-035.

(b)(1) The term “Deliverability Protected Materials” means (A) materials, data or information provided by a Respondent as set forth in paragraph 5(a) designated by such Respondent as protected; (B) any information contained in or obtained from such designated materials; (C) any other materials which are made subject to this Protective Order by the Assigned ALJ, by the Law and Motion ALJ, by the Assigned Commissioner, by the CPUC, or by any court or other body having appropriate authority; (D) Notes of Deliverability Protected Materials; and (E) copies of Deliverability Protected Materials. The Respondent producing the Deliverability Protected Materials shall physically mark them on each page, or clearly label the electronic file containing such materials either (1) with the words “PROTECTED MATERIALS” or words of similar import as long as the term “Protected Materials” is included in that designation to indicate that they are Protected Materials; or (2) with the words, in bold typeface, “Contains Privileged Information—Do Not Release.”

(2) The term “Notes of Deliverability Protected Materials” means memoranda, handwritten notes, or any other form of information (including electronic form) which copies or discloses materials described in Paragraph 3(b)(1). Notes of Deliverability Protected Materials are subject to the same restrictions provided in this order for Deliverability Protected Materials except as specifically provided in this order.

(3) Deliverability Protected Materials shall not include (A) any information, data, or document already contained in the public files of the CPUC or any other federal or state agency, or any federal or state court, unless the

information or document has been determined to be protected by such agency or court, or (B) information, data or document that is public knowledge, or which becomes public knowledge, other than through disclosure in violation of this Protective Order, or (C) information, data or documents that becomes public through an order or decision of the CPUC finding that such Deliverability Protected Materials do not constitute confidential or commercially sensitive information or that such Deliverability Protected Materials should nevertheless be made available to the public.

(c) The term "Non-Disclosure Certificate" shall mean the certificate annexed hereto by which persons who have been granted access to Deliverability Protected Materials shall certify their understanding that such access to Deliverability Protected Materials is provided pursuant to the terms and restrictions of this Protective Order, and that such persons have read the Protective Order and agree to be bound by it.

(d) The term Non-Market Participating Party ("NMPP") Reviewing Representative shall mean a person who is:

(1) An employee of a consumer or customer group that the Director of the Commission's Energy Division or his designee ("Division Director") agrees has a bona fide interest in participating on behalf of end-use customers in this resource adequacy proceeding and which group is not a Market Participating Party as defined in paragraph 5(e)(1); or an attorney, paralegal, expert or employee of an expert retained by an NMPP for the purpose of advising, preparing for or participating in this resource adequacy proceeding.

(2) NMPPs shall identify their proposed Reviewing Representatives to the CAISO and Division Director and provide a curriculum vitae of the candidate,

including a brief description of the candidate's professional experience and past and present professional affiliations for the last 10 years. The CAISO and Division Director shall advise the proposing party in writing within three (3) business days from receipt of the notice if either or both of them object to the proposed Reviewing Representative, setting forth in detail the reasons therefor. In the event of such objection, the proposing party, the CAISO and Division Director shall promptly meet and confer to try to resolve the issue, and if necessary seek a ruling from either the assigned ALJ or the Law and Motion ALJ. In addition to determining whether the proposed Reviewing Representative has a need to know, the ALJ in ruling on the issue will evaluate whether the candidate is engaged in the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plans or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting). Absent unusual circumstances as determined by the ALJ, a candidate who falls within the criteria set forth in the preceding sentence will ordinarily be deemed ineligible to serve as an NMPP Reviewing Representative.

(e) The term Market Participating Party ("MPP") Reviewing Representative shall mean a person who is engaged or retained to advise, prepare for, or participate in the resource adequacy proceeding and is:

(1) An employee of a private, municipal, state or federal entity, which entity engages in the purchase, sale or marketing of energy or capacity, or the bidding on or purchasing of power plants, or consulting on such matters, or an employee of a trade association comprised of such entities that engage in one or more of such activities, who is not engaged in the purchase, sale or marketing of

energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plants or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting); or an attorney, paralegal, expert or employee of an expert retained by an MPP, who is not himself or herself engaged in, or who does not provide legal or expert consulting services on either (1) the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or (2) the bidding on or purchasing of power plants or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting).

(2) MPPs shall identify their proposed Reviewing Representatives to the CAISO and Division Director and provide a curriculum vitae of the candidate, including a brief description of the candidate's professional experience and past and present professional affiliations for the last 10 years. The CAISO and Division Director shall advise the proposing party in writing within three (3) business days from receipt of the notice if either or both of them object to the proposed Reviewing Representative, setting forth in detail the reasons therefor. In the event of such objection, the proposing party, the CAISO and Division Director shall promptly meet and confer to try to resolve the issue, and if necessary seek a ruling from either the assigned ALJ or the Law and Motion ALJ. In addition to determining whether the proposed Reviewing Representative has a need to know, the ALJ in ruling on the issue will evaluate whether the candidate is engaged in the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plans or consulting on such matters (or

the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting). Absent unusual circumstances as determined by the ALJ, a candidate who falls within the criteria set forth in the preceding sentence will ordinarily be deemed ineligible to serve as an MPP Reviewing Representative.

6. Protected Materials shall be made available under the terms of this Protective Order only to Reviewing Representatives who have signed a Non-Disclosure Certificate and only for the purposes of developing, advancing or implementing any aspect of the “deliverability” requirements described in Sections 3.6-3.6.2 of D.04-10-035.

7. Protected Materials shall remain available to NMPP and MPP Reviewing Representatives until the later of the date that an order terminating this proceeding becomes no longer subject to judicial review; the date that any other CPUC relating to the Deliverability Protected Materials is concluded and no longer subject to judicial review; or (b) that the Deliverability Protected Materials subject to the Protective Order no longer need to remain available to reviewing representatives. If requested to do so in writing after that date, NMPP and NPP Reviewing Representatives shall, within fifteen (15) days of such request, return the Deliverability Protected Materials to the CAISO, or shall destroy the materials. Within such time period, NMPP and MPP Reviewing Representatives shall also submit to the CAISO an affidavit stating that, to the best of their knowledge, all Deliverability Protected Materials and all Notes of Protected Materials have been returned or have been destroyed.

Notwithstanding the two preceding sentences, NMPP and MPP Reviewing Representatives may retain copies of filings, official transcripts and exhibits, if any, prepared in the course of the NMPP and MPP Reviewing Representatives’

review of the Deliverability Protected Materials, provided that such retained materials are maintained in accordance with Paragraphs 9 and 13. In the event the CEC receives a request that Protected Materials should be returned or destroyed, but the CEC Executive Director determines that the CEC needs to retain some or all of these Protected Materials to carry out its statutorily-mandated tasks, the CEC may retain the Protected Materials, and the CEC Executive Director shall furnish CAISO and Commission Staff with a letter setting forth the CEC's reasons for retaining the Protected Materials, as well as a list enumerating with reasonable particularity the Protected Materials so retained. To the extent Deliverability Protected Materials are not returned or destroyed pursuant to this paragraph, they shall remain subject to this Protective Order, Section 583 of the California Public Utilities Code and CPUC General Order No. 66-C.

8. In the event that the CPUC receives a request for a copy of or access to any Deliverability Protected Material from the CEC, the procedure for handling such requests shall be as follows. The CPUC, after giving written notice to the CAISO of the request for the Deliverability Protected Material, shall release such Deliverability Protected Material to the CEC upon receipt from the CEC of an Interagency Information Request and Confidentiality Agreement (Interagency Confidentiality Agreement) that shall (i) provide that the CEC will treat the requested Deliverability Protected Material as confidential in accordance with this Protective Order, (ii) include an explanation of the purpose for the CEC's request, as well as an explanation of how the request relates to furtherance of the CEC's functions, (iii) be signed by a person authorized to bind the CEC contractually, and (iv) expressly state that furnishing of the requested Deliverability Protected Material to employees or representatives of the CEC

does not, by itself, make such Deliverability Protected Material public. In addition, the Interagency Confidentiality Agreement shall include an express acknowledgment of the CPUC's sole authority (subject to judicial review) to make the determination whether the Protected Materials should remain confidential or be disclosed to the public, notwithstanding any provision to the contrary in the statutes or regulations applicable to the CEC.

9. All Deliverability Protected Materials shall be maintained by NMPP and MPP Reviewing Representatives in a secure place and kept in a non-public file. Access to those materials shall be limited to those NMPP and NPP Reviewing Representatives specifically authorized pursuant to this Protective Order.

10. If a request is made pursuant to the Public Records Act (PRA), Government Code § 6250, *et seq.*, that the Deliverability Protected Materials filed with or otherwise in the possession of the CPUC be produced, the CPUC will notify CAISO of the PRA request. In the event the CPUC receives a request from a federal government agency or via a judicial subpoena for the production of Deliverability Protected Materials in the CPUC's possession, the CPUC will also notify the CAISO of such request. In the event that a PRA requester brings suit to compel disclosure of the Deliverability Protected Materials, the CPUC will promptly notify the CAISO of such suit.

11. In the event that a NMPP or MPP is requested or required by applicable laws or regulations, or in the course of administrative or judicial proceedings (in response to oral questions, interrogatories, requests for information or documents, subpoena, civil investigative demand or similar process) to disclose any confidential information, the NMPP or MPP agrees to

oppose disclosure on the grounds that the requested information has already been designated by the CPUC as Deliverability Protected Materials subject to this Protective Order lawfully issued by the CPUC and therefore may not be disclosed. The MPP or NMPP shall also immediately inform the CAISO of the request, and the CAISO will notify Respondents who may, at their sole discretion and cost, direct any challenge or defense against the disclosure requirement, and the NMPP or MPP shall cooperate with the Respondent to the maximum extent practicable to either oppose the disclosure of the Deliverability Protected Materials consistent with applicable law, or obtain confidential treatment of Deliverability Protected Materials by the entity that wishes to receive the Deliverability Protected Materials prior to any such disclosure. If there are multiple requests for substantially similar Deliverability Protected Materials in the same case or proceeding where the NMPP or MPP has been ordered to produce certain specific Deliverability Protected Materials, the MPP or NMPP may, upon request for substantially similar Deliverability Protected Materials by a similarly situated party, respond in a manner consistent with that order to those substantially similar requests for those Deliverability Protected Materials.

12. It shall be a rebuttable presumption that (i) any study that incorporates, describes or otherwise employs Deliverability Protected Material in a manner that could reveal all of a part of the Deliverability Protected Material, or (ii) any model that relies upon Deliverability Protected Material for algorithms or other computation(s) critical to the functioning of the model, shall also be considered Deliverability Protected Material that is subject to this Protective Order. However, models that merely use Deliverability Protected Material as inputs will not themselves be considered confidential. It shall also be a rebuttable presumption that where the inputs to studies or models include



Deliverability Protected Material, or where the outputs of such studies or models reveal such inputs or can be processed to reveal the Deliverability Protected Material, such inputs and/or outputs shall be considered Deliverability Protected Material subject to this Protective Order, unless such inputs and/or outputs have been redacted or aggregated. Unless a party, by means of notice and motion, obtains a ruling from the Assigned ALJ or the Law and Motion ALJ holding that the applicable presumption(s) from among the foregoing has been rebutted with respect to the model or study at issue, then any party who devises or propounds a model or study that incorporates, uses or is based upon Deliverability Protected Material shall label the model or study "Deliverability Protected Material," and it shall be subject to the terms of this Protective Order. Employees of any Respondent, regardless of whether they have been designated MPP Reviewing Representatives, shall have access to the analysis, methodologies, results, and studies which relate to any resource that the Respondent owns or with which it has contracted.

13. Deliverability Protected Materials shall be treated as confidential by the NMPP and MPP Reviewing Representative. Deliverability Protected Materials shall not be used except as necessary for the conduct of this proceeding or related proceedings before the Commission for the purpose of developing, advancing or implementing any aspect of the deliverability requirements described in Sections 3.6-3.6.2 of D.04-10-035, nor shall they be disclosed in any manner to any person except a NMPP or MPP Reviewing Representative. NMPP and MPP Reviewing Representatives may make copies of Deliverability Protected Materials, but such copies become Deliverability Protected Materials. Reviewing Representatives may make notes of Deliverability Protected

Materials, which shall be treated as Notes of Deliverability Protected Materials if they disclose the contents of Deliverability Protected Materials.

14.(a) If a NMPP or MPP Reviewing Representative has executed such a Non-Disclosure Certificate, the paralegal, secretarial and clerical personnel under that NMPP or MPP Reviewing Representative's instruction, supervision or control need not execute individual Non-Disclosure Certificates.

(b) NMPP and MPP Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with this order.

15. In the event that any NMPP or MPP Reviewing Representative to whom the Protected Materials are disclosed ceases to be engaged in these proceedings, or is employed or retained for a position whose occupant is not qualified to be a NMPP or MPP Reviewing Representative, access to Deliverability Protected Materials by that person shall be terminated. Even if no longer engaged in this proceeding, every NMPP or MPP Reviewing Representative shall continue to be bound by the provisions of this Protective Order.

16. All disputes arising under this Protective Order shall be presented for resolution to the Assigned ALJ or the Law and Motion ALJ. Prior to presenting any such dispute to the applicable ALJ, the parties to the dispute shall use their best efforts to resolve it. Neither the CAISO, Respondents nor the CPUC Staff waives its right to seek additional administrative or judicial remedies after the Assigned ALJ or the Law and Motion ALJ has made a ruling regarding the dispute.

17. All copies of all documents reflecting Deliverability Protected Materials, including the portion of the hearing testimony, exhibits, transcripts,

briefs and other documents which refer to Deliverability Protected Materials, shall be filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they are sealed pursuant to this Protective Order. Such documents shall be marked “**DELIVERABILITY PROTECTED MATERIALS**” and shall be filed under seal and served under seal only upon the Assigned ALJ, the Assigned Commissioner, the CAISO and all NMPP and MPP Reviewing Representatives who are on the service list. For anything filed under seal, redacted versions or, where an entire document is protected, a letter indicating such will also be filed with the CPUC and served on all parties on the service list and the Assigned ALJ and the Assigned Commissioner. Counsel shall take all reasonable precautions necessary to assure that Protected Materials are not distributed to unauthorized persons.

18. Nothing in this Protective Order shall be construed as precluding the CAISO or any Respondent from objecting to the use of Deliverability Protected Materials on any legal grounds.

19. No Respondent or the CAISO waives its right to pursue any legal or equitable remedy that may be available in the event of an actual or anticipated unauthorized disclosure of Deliverability Protected Material.

20. Any violation of this Protective Order and of any Non-Disclosure Certificate executed hereunder shall constitute a violation of an order of the CPUC.

Dated December 20, 2004, at San Francisco, California.

/s/ MARK S. WETZELL

Mark S. Wetzell  
Administrative Law Judge

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Promote Policy  
and Program Coordination and Integration in  
Electric Utility Resource Planning.

Rulemaking 04-04-003  
(Filed April 1, 2004)

**NON-DISCLOSURE CERTIFICATE**

I hereby certify my understanding that access to Deliverability Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in this proceeding, that I have been given a copy of and have read the Protective Order, and that I agree to be bound by it. I understand that the contents of the Deliverability Protected Materials, any notes or other memoranda, or any other form of information that copies or discloses Deliverability Protected Materials shall not be disclosed to anyone other than in accordance with that Protective Order. I acknowledge that a violation of this certificate constitutes a violation of an order of the California Public Utilities Commission.

By:\_\_\_\_\_

Title:\_\_\_\_\_

Representing:\_\_\_\_\_

Date:\_\_\_\_\_



**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Adopting Protective Order to Facilitate Deliverability Baseline Analysis on all parties of record in this proceeding or their attorneys of record.

Dated December 20, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.